

Message

From: Haymes, David (DEP) [David.Haymes@dep.nj.gov]
Sent: 6/3/2021 1:54:55 PM
To: Wilson, Eric [Wilson.EricJ@epa.gov]
Subject: RE: Syncon

Good morning, Eric!

Checking whether there is any response to my email below regarding EPA's February 2021 Syncon proposal. Mark is preparing for the June 23 quarterly meeting with EPA and I was going to give him an update.

Please let me know.

Thanks,

David
609-984-2902

NOTE: Nothing in this correspondence affects your potential liability and obligations to the State Trustee, the Department, or its Commissioner regarding natural resource injuries, restoration, or damages.

NOTE: This e-mail is protected by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521. This e-mail and its contents may be Privileged & Confidential due to the Attorney-Client Privilege, Attorney Work Product, Deliberative Process or under the New Jersey Open Public Records Act. If you are not the intended recipient of this e-mail, please notify the sender, delete it and do not read, act upon, print, disclose, copy, retain or redistribute it.

From: Haymes, David (DEP)
Sent: Tuesday, May 18, 2021 08:32 PM
To: Wilson, Eric <Wilson.EricJ@epa.gov>
Subject: Syncon

Eric:

I hope this finds you well. My apologies for not responding sooner. I discussed Syncon with Mark Pedersen and Ken Kloo.

The February 26, 2021 EPA offer was as follows (also see attached email from Danielle Gervacio):

- Tier 1: Net proceeds up to \$18M will be split: 70% EPA, 17% Town, 13% DEP
- Tier 2: Net proceeds between \$18M and \$20.5M will be split: 50% EPA, 36% Town, 14% DEP
- Tier 3: Remaining net proceeds above \$20.5M will be split: 55% EPA, 22.5% Town, 22.5% DEP

NJDEP can accept this offer with two conditions:

1. There is a time-limit to sell the property within two (2) years.
2. The purchaser must assume responsibility for future O&M costs.

As you and I discussed last month, moving forward, NJDEP is the only entity (EPA, NJDEP, Kearny) that will continue to accrue costs. Although we understand Kearny's desire to not have the property used for certain purposes, we do not want Kearny to turn down offers that are otherwise acceptable and continue to saddle the NJDEP with future costs.

Please let me know if you would like to discuss any of the above. If you are okay with the above, I can "reply all" to Ms. Gervacio's email.

Thanks,

David
609-984-2902

NOTE: Nothing in this correspondence affects your potential liability and obligations to the State Trustee, the Department, or its Commissioner regarding natural resource injuries, restoration, or damages.

NOTE: This e-mail is protected by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521. This e-mail and its contents may be Privileged & Confidential due to the Attorney-Client Privilege, Attorney Work Product, Deliberative Process or under the New Jersey Open Public Records Act. If you are not the intended recipient of this e-mail, please notify the sender, delete it and do not read, act upon, print, disclose, copy, retain or redistribute it.

From: Wilson, Eric <Wilson.EricJ@epa.gov>
Sent: Wednesday, April 28, 2021 10:21 AM
To: Haymes, David (DEP) <David.Haymes@dep.nj.gov>
Subject: [EXTERNAL] RE: Phone message

David, I'll call at 3:30.

Thanks,

Eric

From: Haymes, David (DEP) <David.Haymes@dep.nj.gov>
Sent: Wednesday, April 28, 2021 10:07 AM
To: Wilson, Eric <Wilson.EricJ@epa.gov>
Subject: RE: Phone message

Eric:

My meeting ended early, so I am now free until 11:00, then again at noon, then at 3:30. Feel free to call me at 609-815-4583.

Thanks,

David
609-984-2902

NOTE: Nothing in this correspondence affects your potential liability and obligations to the State Trustee, the Department, or its Commissioner regarding natural resource injuries, restoration, or damages.

NOTE: This e-mail is protected by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521. This e-mail and its contents may be Privileged & Confidential due to the Attorney-Client Privilege, Attorney Work Product, Deliberative Process or under the New Jersey Open Public Records Act. If you are not the intended recipient of this e-mail, please notify the sender, delete it and do not read, act upon, print, disclose, copy, retain or redistribute it.

From: Haymes, David (DEP)
Sent: Wednesday, April 28, 2021 09:24 AM
To: Wilson, Eric (wilson.ericj@epa.gov) <wilson.ericj@epa.gov>
Subject: FW: Phone message

Good morning, Eric - I hope this finds you and yours doing well!

Per below, I am in meetings until noon. Is it okay if I ruin our lunch hours and give you a call then? Also, can you give me a hint which lien?

Thanks,

David
609-984-2902 (609-815-4583 - cell)

NOTE: Nothing in this correspondence affects your potential liability and obligations to the State Trustee, the Department, or its Commissioner regarding natural resource injuries, restoration, or damages.

NOTE: This e-mail is protected by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521. This e-mail and its contents may be Privileged & Confidential due to the Attorney-Client Privilege, Attorney Work Product, Deliberative Process or under the New Jersey Open Public Records Act. If you are not the intended recipient of this e-mail, please notify the sender, delete it and do not read, act upon, print, disclose, copy, retain or redistribute it.

From: Imburgia, Lisa (DEP) <Lisa.Imburgia@dep.nj.gov>
Sent: Wednesday, April 28, 2021 09:02 AM
To: Haymes, David (DEP) <David.Haymes@dep.nj.gov>
Subject: Phone message

Good morning,

Eric Wilson from EPA called. Wants to discuss a lien issue.
212-637-4309